

**AMENDMENT TO THE CLAIMS**

1. (Original) An anti-annexin antibody or fragment thereof, wherein the antibody or fragment is capable of specifically binding to an annexin present on a cell that is undergoing apoptosis.
2. (Currently Amended) The antibody fragment according to claim 1 wherein said antibody fragment it is a Fab or F(ab')<sub>2</sub> fragment.
3. (Currently Amended) The antibody or fragment according to claim 1~~any one of the preceding claims~~, wherein said antibody or fragment it is a monoclonal antibody or fragment thereof.
4. (Currently Amended) The antibody or fragment according to claim 1, ~~any one of the preceding claims, wherein it is~~and a label~~labeled~~.
5. (Original) The antibody or fragment according to claim 4, wherein the label is an effector molecule, a toxic substance or a radioactive substance.
6. (Currently Amended) A pharmaceutical composition, comprising the ~~as the active ingredient~~ an antibody or fragment thereof according to claim 1 capable of specifically binding to an annexin present on a cell that is undergoing apoptosis
7. (Currently Amended) Use of an anti-annexin antibody or fragment thereof for the detection A method of detecting and/or monitoring of apoptosis in a cell, comprising providing an anti-annexin antibody or fragment thereof according to claim 1 to said cell in vitro, ex vivo or in vivo.
8. (Currently Amended) Use of an anti-annexin antibody or fragment thereof for A method of modulating an immune response in a subject comprising administering an anti-annexin antibody or fragment thereof according to claim 1

to said subject.

9. (Currently Amended) Use of an anti-annexin antibody or fragment thereof for A method of inducing and/or increasing an inflammatory response in a subject comprising administering an anti-annexin antibody or fragment thereof according to claim 1 to said subject.
10. (Currently Amended) Use of an anti-annexin antibody or fragment thereof for A method of targeting tumor cells and/or tumor tissue in a group of cells or a tissue comprising administering an anti-annexin antibody or fragment thereof according to claim 1 to said a group of cells or said tissue.
11. (Currently Amended) Use of an anti-annexin antibody or fragment thereof for A method of inducing an inflammatory response to tumor cells comprising administering an anti-annexin antibody or fragment thereof according to claim 1 to said tumor cells.
12. (Currently Amended) Use of an anti-annexin antibody or fragment thereof for A method of blocking the development of tolerance against tumor cells in a subject comprising administering an anti-annexin antibody or fragment thereof according to claim 1 to said subject.
13. (Currently Amended) Use of an anti-annexin antibody or fragment thereof for the A method of producing production of an agent for the diagnosis and/or treatment of diseases linked to apoptosis comprising administering an anti-annexin antibody or fragment thereof according to claim 1 to said a tumor cells.
14. (Currently Amended) Use The method of claim 13, wherein the diseases linked to apoptosis are selected from the group consisting of cancer, diabetes, autoimmune diseases and cardiovascular and vascular diseases.

15. (Currently Amended) Use The method of claim 14, wherein the autoimmune disease is diabetes, rheumatoid arthritis, lupus erythematosus or multiple sclerosis.
16. (Currently Amended) Use The method of any one of claims claim 7 to 15, wherein the anti-annexin antibody is labelled.
17. (Currently Amended) Use The method of claim 16, wherein a said labelled anti-annexin antibody is used for the production of a diagnostic agent for the detection of tumor cells after or during conventional cancer therapy.
18. (Currently Amended) Use according to claim 1any one of claims 1-17, wherein the anti-annexin antibody is specific for annexin I, annexin II, annexin IV, or annexin V.
19. (Original) A method for detecting and/or monitoring apoptosis comprising:
  - (i) providing a sample to be analysed, comprising cells;
  - (ii) detecting an annexin present on the surface of said cells by adding a substance capable of specifically binding to an annexin present on a cell that is undergoing apoptosis.
20. (Original) The method of claim 19, wherein the substance of step (ii) is an antibody or fragment thereof capable of specifically binding to an annexin present on a cell that is undergoing apoptosis.
21. (Currently Amended) Use of an annexin and/or functional fragments thereof according to claim 1 and/or fusion protein comprising an the annexin or functional fragments thereof according to claim 1, for the production of an agent for inhibiting an inflammatory response.
22. (Currently Amended) Use of an annexin and/or functional fragments thereof

according to claim 1 and/or fusion protein comprising an annexin or functional fragments thereof according to claim 1, for the production of an agent for the diagnosis and/or the treatment of a disease linked with apoptosis and/or cell death and/or inflammation.

23. (Original) Use according to claim 22, wherein the disease is selected from the group consisting of a ischaemic reperfusion damage, stroke, chronic heart failure, myocardial infarction, spinal cord injury, acute liver failure, renal ischaemia, neurodegenerative diseases such as Alzheimer, Parkinson's disease, sepsis, HIV-infection and autoimmune diseases, in particular multiple sclerosis.
24. (Currently Amended) Use of an annexin and/or functional fragments thereof according to claim 1 and/or fusion protein comprising an annexin or functional fragments thereof according to claim 1, for the production of an agent to inhibit an inflammatory response to tissue, in particular transplantation tissue.
25. (Currently Amended) Use according to ~~any one of claims~~ claim 21[-24]], wherein the annexin used is annexin I, annexin II, annexin IV or annexin V.